IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22121 of 1998

Between:

1 Mirza Sajid Baig, S/o Mirza Rahamullah Baig,
Owner of Vehicle AP9V-3073 R/o H.NO.15-3-178/13, Begum Bazar,
Hyderabad.
2 Mohd.Dastagir, S/o Mohd.Shafi,
Owner of Vehicle AP10-T6169, R/o 16-2-408/13, Malakpet,
Hyderabad.
3 Mohd.Nizamuddin, S/o Mohd.Akram,
Owner of Vehicle AP21 V-61 R/o 5-6-24, Darus Salam,
Hyderabad.

..... PETITIONERS

AND

1 The Secretary, R.T.A.,
Central Zone, Hyderabad.
2 The Secretary, R.T.A.,
East Zone, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or direction more particularly one in the nature of Mandamus, declaring the action of the respondents in not permitting the petitioners herein to carry the gross vehicles weight of 8,770 kgs in their vehicles is illegal, arbitrary and further direct the respondents herein to permit the petitioners to carry the gross vehicle weight of 8,770 kgs in respect of their goods vehicles by entering the same in the Registration Certificates of the petitioners vehicles.

Counsel for the Petitioners: MR.SHAIK MAHABOOB VALI

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following:

ORDER:

This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the respondent-Secretary, Regional Transport Authority, in not permitting the petitioners to carry Gross Vehicle weight of 8,770 kgs as illegal and arbitrary and consequently, to direct the respondents to permit the petitioners to carry the said weight in their goods vehicles.

When the matter is taken up for hearing, it is submitted by the learned counsel appearing for the petitioners and conceded by the learned Government Pleader for Transport appearing for the respondents that the subject matter involved in this writ petition is squarely covered by the judgment of the Apex Court in **N.Venkateswara Rao Vs. S.T.A.**, wherein the Apex Court has elaborately discussed the matter and dismissed the writ appeals and W.P.No.6211 of 1990 and batch.

Accordingly, following the judgment of the Apex Court, this writ petition is also dismissed for similar reasons. No order as to costs.

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08.04.2005

dr/tvk

To Enclosing along with

1 The Secretary, R.T.A., copy of order dated
Central Zone, Hyderabad.
2 The Secretary, R.T.A.,
East Zone, Hyderabad.

3 2 CCs to Government Pleader for Transport,

High Court Buildings, Hyderabad. (OUT)

4 2 CD copies